

CHURCH AND STATE

A MONTHLY REVIEW



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JUNE, 1955

Paulist Editor Says U. S. Must Aid Church School Construction

"... in the matter of erecting new school buildings, it's obvious that American children are entitled to the benefits of public welfare legislation regardless of race, creed or color." So declared the Rev. John B. Sheerin, C. S. P. (Congregation of St. Paul) in the lead editorial of *The Catholic World* for April, giving further evidence that the true goal of the Roman Catholic hierarchy in the United States is complete government support rather than the "fringe" benefits which are sought as the entering wedge. For if it is "obvious," as Editor Sheerin asserts, that the government is obligated to build parochial schools, then it is equally "obvious" that all other parochial school expenses should be borne by the government under Father Sheerin's "welfare" concept.

Nothing really new is contained in the editorial, but it is significant in giving clear clerical sanction to recent demands by "lay" groups for federal financing of parochial school construction (*Church and State*, March). Echoing Executive Director Martin Work of the National Council of Catholic Men, Father Sheerin observes: "Catholic laymen have good reason to ask if they will be 'doubly taxed' for the seven billions to be given to public schools [under the Administration bill, S. 968] as well as for the millions they will have to spend for parochial school construction."

Then, counting on the ignorance of his audience, the Paulist editor refers to the concept of church-state separation as a "vaporious interpretation of the [First] Amendment" and a "legal pipe-dream" which "exists only in the mind or rather the imagination of legal students smoking the opium of secularism." He fails to note that the same "vaporious interpretation" and "legal pipe-dream" existed in the mind or the imagination of Thomas Jefferson, who did much to popularize the expression, "wall of separation between church and state" and was one of the leaders primarily responsible for the adoption of the First Amendment (see Jefferson's let-

ter of January 1, 1802 to the Danbury Baptist Association and his explanatory note of the same date to Attorney General Levi Lincoln, quoted in *Church and State*, March, 1954).

With monotonous regularity, church-state unionists falsify American history and misrepresent the contents of recent Supreme Court decisions. Father Sheerin merely provides the latest example. He quotes briefly from the 1947 Everson bus transportation decision, leaving the impression that the Court, in declining to overrule a New Jersey school bus measure, was endorsing the theory that religious education was a matter of public "welfare." Actually, the Court explicitly denied this, stating in its concluding paragraph that the "First Amendment has erected a wall between church and state" which "must be kept high and impregnable." The majority opinion held that New Jersey had not "breached" the wall, but our justices dissented, insisting that not even bus transportation considered as a "safety" measure could be provided validly to parochial school children. All nine justices agreed that the Court "could not approve the slightest breach" in the wall of separation, and thus subscribed to what Father Sheerin calls a "vaporious interpretation" and a "legal pipe-dream."

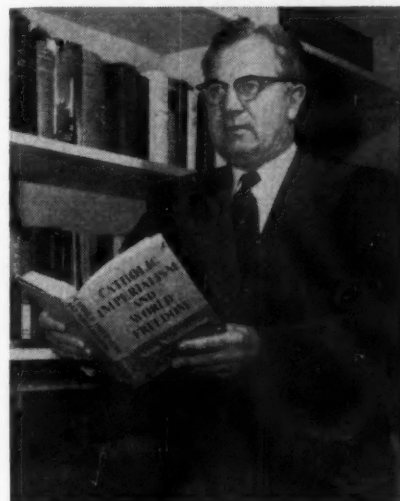
Moreover, the Everson decision contained a passage which has since become the favorite target of attacks by church-state unionists of various persuasions. This passage read: "The 'establishment of religion' clause of the First Amendment means at least this: Neither a state nor the Federal Government can set up a church. Nei-

ther can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or non-attendance. *No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. . . .*" (Emphasis added.) This passage was repeated in the 1948 McCollum decision and even the majority opinion in the 1952 Zorach-Gluck decision, while recognizing the "religious" nature of the American people.

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Chief Executive



POAU Executive Director Glenn L. Archer (above) ponders a knotty question of church-state relations and refreshes his memory on what one of the many authors on his Washington office bookshelf had to say about it. A former law school dean, Archer constantly deals with leading constitutional issues affecting religious liberty. Other national staff members are pictured on inside pages of this issue.

'Soul-Saving' Declared Catholic Hospitals' Aim

Two Roman Catholic archbishops told the recent 40th annual convention of the Catholic Hospital Association in St. Louis that soul-saving and apostleship are the primary functions of church hospitals. In thus reaffirming the hierarchy's insistence on the "religious" nature of such hospitals, the two prelates were unconsciously pointing up the legal anomaly under which the United States Government grants funds to sectarian hospitals in spite of the constitutional requirement for church-state separation.

"Specifically," Archbishop Joseph E. Ritter of St. Louis declared, "[Roman Catholic] hospital work must be the personal charity of religious and laity for the suffering members or potential members of Christ's Mystical Body. Therefore, the training of personnel, especially religious, must aim at forming apostles." He warned Roman Catholic hospital officials not to put the pursuit of technical excellence before the "first and foremost" task of "spiritual formation, the apostolic formation, of personnel."

Religious 'Institutions'

Like Archbishop Ritter, Archbishop Karl J. Alter of Cincinnati insisted that church-operated hospitals "are religious institutions," and said flatly that "the Catholic hospital must in its development program be subordinate in any diocese to the total organization set up for the welfare of souls." At the same time, he observed: "Any failure to make use of the very best scientific knowledge available, and any specious attempt to justify neglect of professional skill and technique would be unworthy of religion and a contradiction of the virtues of justice, charity and prudence which are inspired by religion." His words on this point are enough to bring a wry smile to the faces of doctors and patients who are familiar with the Church's prohibition against certain medically-approved therapeutic measures in childbirth cases, its war upon planned parenthood, and the tendency of Roman Catholic hospitals to take direct reprisals against physicians who put their patients' lives above the dogmas of the hierarchy (see, among many examples, *Church and State*, July, 1949; December, 1950; January and March, 1952; and February, 1954).

Millions of dollars in public funds continue to be expended each year under the Hill-Burton hospital sur-

vey and construction program for aid to denominational hospitals whose dominating non-public objectives are frankly stated. Archbishops Ritter and Alter in their recent remarks were only echoing what has been said officially by their church many times, as in the following passage:

"The mere presence of Sisters and Brothers in our hospitals is a striking profession of faith in the truth of the Catholic Church . . . their influence, if not irresistible, is surely a tremendously potent cause of conversions." (Father J. J. Clifford, in appendix on "Medical Ethics," in St. Thomas Aquinas' *Summa Theologica*, New York, Benziger Brothers, Inc., 1947-8, Imprimatur of Francis Cardinal Spellman.)

Surely, means can be found to reserve public funds for aid to institutions concerned with curing their patients' ailments unhandicapped by the ulterior motive of "converting" those patients who do not belong to the "right" churches.

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Spurns Temporary Order In Bradfordsville Case

Whatever order he issues in the Bradfordsville, Kentucky, school case will be permanent, Franklin Circuit Judge William B. Ardery declared as he declined recently a request for a temporary order re-opening the Bradfordsville High School. Parents of "striking" students (who have refused to attend any other school since the Marion County Board of Education ordered closing of the Bradfordsville school) had sought the temporary order to enable their children to resume their interrupted educations without further delay. Judge Ardery ruled, however, that such relief would be improper because of the expense of hiring teachers and operating the school, and said they must await his "final" decision.

Bradfordsville residents have never accepted the Marion County board's assertion that their public high school was no longer needed and would be "uneconomical" to continue in operation; they contend that the board's policies have discriminated in favor of "public"-parochial schools such as St. Charles and St. Francis schools in other parts of the county, and that Bradfordsville's decline has been brought about by denying it services and equipment which have been freely granted to favored localities (*Church and State*, July, October and November, 1954).

Judge Ardery is the author of a previous decision (September 28, 1954) holding that it is constitutional for garbed Roman Catholic sisters to teach in the public schools of Kentucky. This decision is now under appeal by POAU's affiliate, the Kentucky Free Public Schools Committee. There is no direct connection between this case, involving six counties, and the Bradfordsville case, although both obviously stem from the same basically faulty state and local policies in the field of church-state relationships.

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The index to Volume 7 (1954) of *Church and State* is now ready. Single copies are free upon request. Write to national headquarters.

Coordinator



National Director of Organization John C. Mayne (above) dictates a memo to POAU chapter leaders on the latest cooperative project to be undertaken by the national organization and state and local POAU groups.

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CHURCH AND STATE

NEWS From Far and Near

◆ Five teaching sisters of the Sisters of Humility (Roman Catholic) Order will be replaced by lay teachers, the public school board at Cosgrove, near Iowa City, Ia., announced after being informed by state officials that \$6,000 in state aid would be stopped if the garbed sisters were retained. The Order had taught in the Cosgrove public school for over fifty years and the sisters' salaries had been turned over, tax-free, to the Church; they always removed their crucifixes before entering the "public" (formerly parochial) school, but taught in their garb. The Cosgrove Neighborhood Club opposes their dismissal, saying the school without them would be "like spring without flowers."

◆ German Free Churches (Methodists, Baptists, members of the Evangelical Community and League of Free Evangelical Communities) will receive West German governmental aid in an extension of a program which has benefited Evangelical and Roman Catholic churches since 1951. The Federal Republic budget committee authorized the grants to clergymen expelled from eastern territories lost by Germany at the end of the war.

◆ A referendum petition to enable Talbot County, Maryland, voters to reject a recent legislative act providing parochial school bus transportation was filed this month with the Secretary of State, having been signed by more than the 700 persons required. . . . Opponents of New Mexico's new "individual contract" school bus law are considering a constitutional challenge of the law's validity, believing that the courts will not agree with Assistant Attorney General W. R. Kegel, who has upheld the law. . . . Defeated in the current Missouri General Assembly session, champions of parochial school bus transportation aid are planning to revive the question at the next session, to be held in 1957. Senator Michael Kinney of St. Louis has proposed a between-sessions Senate-House committee to study the matter.

◆ Priestly and lay Roman Catholic leaders in Belgium have continued to incite mass demonstrations against consideration of the government's move to cut church school subsidies ("Church and State," April and May). Premier Achille Van Acker told Parliament that his administration aims to establish a "normal equilibrium" between public and non-public systems and will insist on full discussion of various proposed solutions. Joseph Cardinal Van Roey of Malines, primate of the country, has called upon Roman Catholic parents to form a national federation in defense of their "rights."

◆ The so-called "Christian Amendment," calling upon the United States Government to recognize "the authority and law of Jesus Christ," has been re-introduced into the current session of Congress by Representatives Eugene Siler of Kentucky and James Utt of California as House Joint Resolutions 312 and 324. In the previous session the same proposal, introduced "by request" by Senator Flanders, was killed in the Judiciary Committee after opposing arguments were presented by a number of organizations, including POAU (*Church and State*, June, 1954).

◆ Iran declared the Bahai religious sect illegal on May 17 and General Timur Bakhtiar, Teheran military governor, ordered the destruction of the Haziratulghodes (Bahai) Temple. Anti-Bahai agitation by the Moslem Mullah Mohammed Taghi Falsafi preceded the government action. The Mullah, labelling the Bahai's "enemies of Islam," had demanded that their temple be turned into a mosque. (According to Bahai officials, their sect teaches that religious truth is not absolute but rather a continuously unfolding revelation, and that the teachings of Moses, Christ, Mohammed and other prophets are all worthy of study.) At Haifa, Israel, the International Bahai Council protested the Iranian ban and asked other nations to intercede on behalf of religious freedom. Bahai has followers in the United States, with the largest group maintaining headquarters at Wilmette, Ill.

Government 'Recognition' Asked by Orthodox Church

It is not the function of the United States armed forces to give "recognition to any religious group" and regulations providing for religious identification on servicemen's "dog tags" are only for the purpose of "giving proper ministrations in case of emergency." So stated Army Secretary Robert T. Stevens in a letter of March 7 to Chairman Carl Vinson of the House Armed Services Committee. He wrote, Stevens explained, at the request of the Defense Department to set forth the reasons for the Department's opposition to bills pending in the House and Senate providing for issuance of "dog tags" bearing the initials "E. O." to designate adherents of the Eastern Orthodox faith.

For years Orthodox church officials have sought state and federal legislative action to "recognize" the denomination as a "major" faith. Delaware recently adopted a resolution "to properly recognize the Eastern Orthodox Church as another major faith," and to change "the forms and official papers of the State and local government units which refer to the major faiths and now limit same to Protestants, Catholics and Jews" so as to read "Protestants, Catholics, Jews and Eastern Orthodox." Similar action has been initiated in Florida and Pennsylvania, and the campaign for this type of legislation dates back at least two years to the time when Archbishop Michael, Greek Orthodox leader for North and South America, urged all states to emulate New York, Wisconsin and Massachusetts—each of which, he claimed accorded "major" status to his church.

With regard to the position of the armed services, however, Secretary Stevens observed:

"The Department has received numerous requests and suggestions pertaining to the identification of religion on identification tags. Army regulations provide that the religious preference of an individual in the Army will be indicated on identification tags by a capital letter as follows: 'C' for Roman Catholic, 'J' for Jewish, 'P' for Protestant, 'X' for any other group that would not be included by one of the first three authorized symbols, and 'Y' for a preference which the individual prefers not to designate or when the individual makes no statement of religious preference. To provide for members of

(Continued on page 5)

Free Public Education Depends On Five Principles, Says Group

"Separation of church and state, as defined by the United States Supreme Court in interpreting the guarantees of the First Amendment, offers a sound foundation for maintaining religious freedom," leaders of the American Jewish Committee declared in a statement adopted by its executive board at a meeting in May. Five "guiding principles" for the public schools were outlined in the statement, as follows:

"The schools should maintain complete impartiality in the realm of religion.

"Teachers should not undertake religious instruction in the schools.

"Children of every shade of religious opinion should enjoy complete equality in the classroom. Thus, whether the child be Protestant in a predominantly Catholic community, Catholic in a predominantly Protestant community, or Jewish in a predominantly Christian community, he should be on an equal footing with all his schoolmates. Moreover, youngsters with no formal religious training, as well as those who do not accept religious viewpoints, must stand as equals of their religiously-educated, observing schoolmates.

"Pertinent references to religion, whenever intrinsic to the lesson at hand, should be included in the teaching of history, the social studies, literature, art and other subjects.

"If discussion of religious doctrine arises in the classroom, the teacher should refer the children to home, church or synagogue for interpretations."

The Committee held that public schools are "obligated to provide our youngsters with insights into the ethnic and religious sources of American life, the better to prepare them for effective citizenship in our pluralistic society," but added: "Such instruction, however, should not be regarded as 'teaching about religion.' Rather, it should continue to be viewed as an integral function of intergroup education. In the same context, the public schools can and should instill in children an understanding of the origin and meaning of religious freedom, an awareness that our nation abounds in religious sects and an understanding that it is the genius of American democracy to welcome and respect religious diversity."

Current school practices should be reviewed, the statement maintained, to see "whether our children are, in fact, being deprived of essential learning." The Committee leaders suggested that teacher-training institutions would do well to include in their courses of study "the necessary sociological and historical background

concerning the different ethnic and religious groups in our land." They also proposed "experimentation in better methods of interpreting the influence of religion on our civilization," but warned that "experiments should be introduced only in a few selected laboratory or campus schools where the projects would be closely supervised by college or university faculties. Doctrinal encroachments should be carefully avoided."

According to the Jewish leaders' analysis, it would be "undesirable" for public schools to attempt instruction in "religious doctrines on a comparative basis" because there would be "great difficulty in determining where 'facts' end and dogmatic belief begins." "Indeed," the statement observes, "the definition of religion itself would present a serious stumbling block, and the role of the teacher would become quite untenable. For instance, how would he interpret the Bodily Assumption of Mary? The Dietary Laws? The Trinity? The Nativity? Is he expected to conceal his personal convictions? . . .

"It is likewise inadvisable, if not impossible, for the public schools to teach a common core of religious belief. Such instruction, in all likelihood, would be unacceptable to some religious groups. Moreover, teachers and school administrators would be subjected to severe pressures. . . ."

It is no solution, either, the Committee contended, for the public schools to "affirm the existence of a personal God, in the belief that children would thus learn the source of our inalienable rights," for "if this were done in a public school setting, the discussions concerning His Nature and His revelation would inevitably lead to creedal divisiveness . . . [and require] the schools to adopt a body of religious principles."

Other proposals or practices discussed in the report included:

The Clergy as Instructors (opposed by the Committee).

Stressing the Religious Faith of Our [American] Ancestors (held acceptable only when used to give "historical perspective").

Providing a Non-Sectarian Reli-

gious Emphasis (deemed "virtually impossible").

Moral and Spiritual Values (called desirable when approached as in the Educational Policies Commission study, *Moral and Spiritual Values in the Public Schools*).

Released Time (opposed as an indirect method of providing "a governmental constraint in support of religion," causing "divisiveness," "disrupting" the normal school program and contributing to truancy. "Particularly deplorable," the Committee adds, "is the fact that some communities continue to disregard the Supreme Court's ruling in the *McCollum* case by permitting released time classes to be held on school property.")

The Bible and Prayer in the Schools (deemed "a religious act, inappropriate for classroom or assembly" except when "explicitly undertaken as part of a literature course"—but the Committee adds that Bible-reading is so "traditional" in some schools that criticism of the practice is apt to cause a major upheaval, and that under those circumstances authorities should see that "only passages having universal acceptance" are accepted).

Use of School Premises for Religious Purposes (called acceptable on an after-hours basis where the buildings are "habitually made available to civic groups," but unacceptable when the buildings are used for religious purposes during public school hours, and "constitutionally invalid to extend public school facilities to sectarian groups for the purpose of conducting a religious-affiliation census").

Religious Holiday Observances (considered a problem difficult to solve because emotional reaction prevents "fair and objective public discussion"; the Committee recommends planning of school holiday observances "in such a way that no child's religious sensibilities will be offended by undue . . . doctrinal emphasis").

Federal Aid to Education (favored for public schools only, but "free lunches and medical and dental services should be available to all children at public expense, provided there is public supervision and control of the program").

Made public by Committee President Irving M. Engel and former Federal Judge Simon H. Rifkind, national executive board chairman, the statement of views has been printed as a 20-page pamphlet and may be obtained from the American Jewish Committee, 386 Fourth Avenue, New York 16, N. Y.

Like 'Cults' in Rome, Argentina's Catholics Now Need Police Permits

If, in any country, it is necessary to go to the police for "permission" to worship publicly, then it is also necessary for free men to cry out against the unjust system which exists. POAU has said this on many previous occasions, and says so now with reference to current developments in Argentina. The Roman Catholic hierarchy in that country is itself saying something similar—but with a big difference. It is "crying out" for justice, all right, but in line with age-old Vatican policy it seeks that goal only for the "one true church," and demands the continuance of restrictions on non-Catholic "cults" in the manner of Italy, Spain and other "Catholic" countries.

On May 17, when the provincial police of Cordoba, Argentina, prevented the holding of Roman Catholic Benediction and Holy Hour services, the official statement said that this was done in the name of "public order" and under police authority to grant or withhold permits for religious activities—precisely the justification used in Italy and Spain for action against minority sects. Scores of priests and Catholic Action laymen have been arrested for "disrespect" of the government, writing or distributing "subversive" pamphlets, and the like. (Most were released later.) The Chamber of Deputies and the Senate have authorized the convocation of a popularly elected convention within the next six months to take action on Dictator Juan D. Peron's proposals for "separation of church and state."

Of course, what will emerge will not be genuine separation of church and state. Rather, it will be a more complete dictatorship comparable to the systems of Hitler and Stalin. Under the new system, government support of the Roman Catholic Church will be withdrawn, but no church—whether Catholic or non-Catholic—will be free to say or do anything that displeases the government. Peron, of course, speaks unctuously of "democracy" in describing the change: "If the people decide that they [the Roman Catholic Church] are to stay, they will stay, but if the people decide that they must be separated, they will be separated—and if the people decide that they must go, they will go." But it is a negation of democracy to either establish a church (which has been Peron's policy until recently) or to decide by popular vote that a given church must be suppressed (which appears to be Peron's emerging policy). Nor does a truly democratic ruler cultivate puppet churchmen such as the head of the Orthodox Catholic Church and

the Grand Rabbi of Argentina, who bestowed their favors upon him recently.

Baptist Comment

It is well therefore, that the Southern Baptist Convention, meeting at Miami, Florida, in May, tempered a proposed resolution on developments on Latin America and other areas so as to avoid any implication that the delegates were approving the Peron regime. As finally adopted after being re-worded by a specially appointed five-man committee, the resolution said, in part:

"Believing in the complete separation of church and state, we do not desire to identify ourselves with any political group but only with the principle of full religious liberty. We abhor the invasion of the conscience of men whether by constituted authority of the state or, as is too often true today, by religious bigots in violation of the constitution of a nation.

"We join with all who support the principles of religious freedom anywhere in the world, especially in Spain, Israel, Italy and throughout Latin America. We pray that freedom of conscience may soon be enjoyed in lands now dominated by Communism."

Dr. B. J. Cauthen, executive secretary of the Convention's Foreign Mission Board and Dr. Duke McCall, president of Southern Baptist Seminary, had led in the call for careful phrasing of the resolution.

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Orthodox 'Recognition'

(Continued from page 3)

these groups, as well as for Protestant groups whose members require special ministrations in case of emergency, present administrative instructions permit a soldier to wear or carry an additional identification tag or disc, provided by his religious group, to identify him as a member of that group.

"The above provisions are available for members of Eastern Orthodox communion as for members of Latter Day Saints, Christian Science and various other 'Protestant' groups

who do not desire to be listed under the 'P' classification.

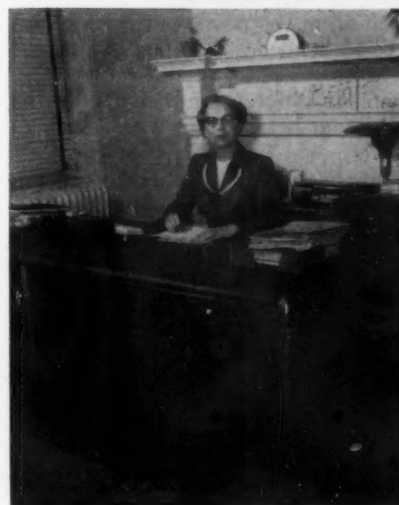
"The designation of a general religious classification on identification tags is not for the purpose of giving recognition to any religious group but to facilitate giving proper ministrations in case of emergency. Furthermore, it is questionable whether a clergyman of one group could minister effectively to the members of all eighteen groups which are considered in the general classification of 'Protestants.'"

Secretary Stevens is to be commended for thus clarifying the issue. At best, government "tagging" of citizens on the basis of religion is acceptable only as one of the unpleasant necessities of war. Americans should never forget that their way of life guarantees free choice in matters of conscientious belief and that each may consider his religion "major" regardless of numbers or wealth. If corporate activities or property management in some large churches requires legal regulation, this should never be taken to mean that the state is recognizing the "major" status of those churches and by implication relegating others to a "minor" position.

In the Senate the Eastern Orthodox "dog tag" proposal is sponsored by Senator Leverett Saltonstall of Massachusetts; in the House, by Representatives James Roosevelt of California, Charles Vanik of Ohio, and others.

As this issue goes to press, Secretary Stevens has yielded on the issue in deference to Congressmen who warmly support the measure.

At Your Service



Mrs. Glenn L. Archer (above) covers the reception desk at national headquarters and performs a multitude of secretarial duties.

Knights Challenged On False Statements

The so-called "Religious Information Bureau" of the Supreme Council, Knights of Columbus, worked itself into a corner last month by hurling reckless counter-charges in an attempt to divert attention from religious persecution in "Catholic" countries. One of its familiar two-column advertisements, appearing in *The American Weekly* of May 15 under the heading, "ANDREW JACKSON . . . in Defense of Catholics," took occasion to observe:

"The Church is accused, at times, of persecution and oppression because of regulations applied by nations in which Catholicism is the established religion. There was an angry protest recently, for example, because of a requirement that U. S. military personnel in Spain apply to the Catholic Church for permission to marry. Nobody got excited over the fact that our personnel serving in Greenland and Saudi Arabia cannot get such permission at all. Nor does anyone demand a protest to Norway because all marriages require approval of a non-Catholic clergyman."

On May 17 Managing Editor Stanley Lichtenstein of *Church and State* wrote to embassy officials of the nations mentioned in this passage and also to the U. S. State Department to ask whether the charges were true or false. As *Church and State* goes to press the embassies of Saudi Arabia, Norway and Denmark (for Greenland) have replied, as follows:

From Aouney W. DeJany of the Royal Embassy of Saudi Arabia: "With regard to your inquiry relative to the advertisement of the Knights of Columbus, it is not very clear from the passage which authority is intended as the one issuing the permission. If the Saudi Arabian Government is intended then surely the statement is false. The Saudi Arabian Government has taken a tolerant attitude in such matters. The local laws are not applicable to non-Moslem nationals of foreign countries. Such persons may get married at their Consulates or Embassies in Saudi Arabia in accordance with the laws of their own countries."

"In the case of the U. S. Military personnel, all of whom are located at Dhahran, the U. S. Consulate there is authorized to marry any American citizen. The permission of the Saudi Arabian Government or authorities in such matters is never sought as it is never required."

From Tor Myklebost, director,

Editor



Stanley Lichtenstein (above), managing editor of "Church and State" and director of POAU press relations, pounds out some of the tens of thousands of words he writes each month for use in the Review and in connection with other POAU research and publication programs.

Norwegian Information Service: "... I take pleasure in sending you enclosed a copy of a letter which I have written to the Knights of Columbus." The enclosed letter said, in part:

"It may interest you to know that the above statement is not in accordance with the truth. Catholics who wish to marry in Norway are under no such obligation,—a fact which you may ascertain by communicating with the Catholic Bishop in Oslo."

"I trust you will not consider it unreasonable if I suggest that you should do your utmost to rectify your mistake."

From A. Bogh Andersen, counselor, Danish Embassy: "... the United States exercises exclusive jurisdiction over the U. S. military and civilian personnel inside [defense] areas. This means that as far as Denmark is concerned, a marriage between American citizens can be contracted *inside* the defense areas without interference from the Danish authorities."

"A marriage between American citizens or an American citizen and a Dane (or person of other nationality) *outside* the defense areas must be contracted according to Danish law, which allows complete freedom of choice between civil and church wedding. Ordinarily, such a wedding cannot take place until two weeks after publication of the banns of marriage, which is requested by the Dan-

ish law on marriage. If both parties are of age and mentally normal, etc., and they produce the personal certificates and affidavits requested by the law, they can be married in Greenland. . . ."

It was desperation which caused the Knights of Columbus to make its irresponsible statements. The hard facts regarding religious repression in Spain were clearly established, and the only tactic available was to counter-attack, and this the religious misinformation bureau did, viciously.

That religious "establishments" exist in the countries named is, of course, true, and *Church and State* deplores the resulting limitations on freedom of religion in those countries. But no one should be fooled by the antics of the Knights of Columbus in its "ads." That is a case of the pot calling the kettle black.

Church Fights Equality Proposal in Guatemala

"Pre-eminence" for the Roman Catholic Church in Guatemala must be guaranteed by the government, Archbishop Mariano Rossell y Arellano of Guatemala City insisted in a recent statement to a 17-man commission of the National Constituent Assembly. The archbishop declared that if the legislators persisted in recommending a constitutional guarantee of religious freedom and legal equality for all churches, the Roman church would adopt a "position of estrangement" and attack the government as "anti-Catholic" rather than anti-Communist. Archbishop Rossell also attacked another constitutional plank calling for freedom of education.

Last fall, the archbishop's arrogant demands for special privilege drew a rebuke from President Carlos Castillo Armas, who observed that "to seek more rights for some than for others is the equivalent of destroying harmony, which should exist collectively . . ." (*"Church and State"* November, 1954).

Seven-Year Review Volume Considered

Church and State would like to make available to its subscribers a bound volume containing all issues and indexes for the first seven years of publication (1948 through 1954). As supplies for many of these issues have been depleted, this would involve much reprinting. To estimate costs relative to demand, *Church and State* would like to know how many readers might be interested. *Please write today.*

CHURCH AND STATE

Paulist Editor

(Continued from page 1)

ple, affirmed that the Court was "follow[ing] the *McCullum* case." Thus, Father Sheerin is guilty of a deliberate fabrication when he asserts that the Supreme Court endorses the view that "in the matter of erecting new school buildings" parochial schools may receive public aid.

The Paulist editor uses familiar arguments in support of the notion that tax support of religion is necessary to combat "juvenile delinquency" and other social ills, but there can be no doubt that his reasoning is contrary to that of the framers of the First Amendment and the justices of the United States Supreme Court. In reality, he seeks to invalidate the Constitution through "reinterpretation," without going through the trouble of having it amended legally—which he knows cannot be accomplished in the case of the First Amendment. He expresses the hope that President Eisenhower will follow up his recent support of the American Legion's "Back to God" movement with an endorsement of the argument for federally-built parochial schools—in other words, that the President will go beyond calling for the "religious education of youth" to calling for the "religious education of youth at public expense." Believers in democracy hope with equal fervor that the President and all other officials of government will steadfastly refuse to be tricked into any such surrender of American principle.

Church Commanded, Police Obeyed in Historic Raid

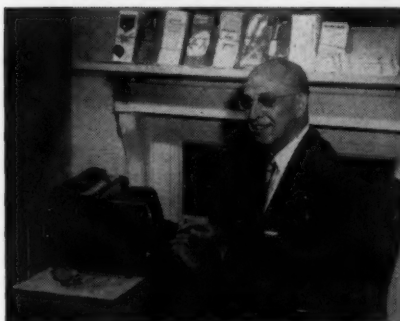
"... the [birth control] conference ... was to open November 11 [1921]....

"For the climax of the conference, the public meeting at Town Hall on Sunday, Mrs. Sanger had selected as the subject, 'Birth Control: Is It Moral?' The meeting was intended not for headlines, but to present a variety of viewpoints from professional leaders like Harold Cox and Dr. Royal S. Copeland, Health Commissioner of New York....

"... A little after eight [Mrs. Sanger and two associates] took a taxi. When they reached Forty-third Street, the taxi slowed to a crawl. Thousands of people jammed the street. 'An overflow crowd,' Margaret thought to herself. 'A wonderful turnout!'

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Veteran



Dr. William A. Cook (above), who was superintendent of public schools at North College Hill, O., during the celebrated struggle to end sectarian control there, outlines one of the speeches he will deliver on POAU's behalf at a local meeting or at a college seminar. He also serves as editorial assistant to the executive director.

"They had to leave the cab and push their way to the entrance. She was astounded to see two policemen barring the doors. She attempted to go in, but the policemen blocked her with their arms.

"'You can't get in this place tonight,' one policeman announced brusquely.

"'Why not?' she asked.

"'There ain't going to be any meeting.'

"'But who stopped it?' she demanded.

* * *

"... a few who had not been in the hall when the police first stopped the meeting at Monsignor Dineen's order were amazed and dubious that a religious body had dared commit such a flagrant violation of civil rights. The *Times* reporter decided to get verification from the Monsignor himself. After persistent telephoning, he finally reached him at his office at St. Patrick's.

"'Yes,' said the Monsignor, 'I ordered the meeting to be closed.'"

—From *THE MARGARET SANGER STORY and the Fight for Birth Control*, by Lawrence Lader, Doubleday and Company, Inc., Garden City, N. Y., 1955, 352 pp., \$4.00.

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'Quota' System Hit

"... in the interest of obtaining the best possible probation practice, the appointment of probation officers to the Children's Court should be made strictly in accordance with Civil Service Law and without regard to the religious faith of the eligibles," the New York State Department of Correction's probation division held recently in a unanimous opinion. The opinion had been sought by the American Jewish Congress in a dispute with Justice John Warren Hill (*Church and State*, April).

BUSINESS OFFICE



Mrs. Florence Fernandez (left) types while Myrtle Rawlison (center) hands a membership file to Mrs. Ruth Runnion, POAU office manager.

Richmond Act Waives Some Church Taxes

As expected (*Church and State*, May), the Richmond, Virginia, City Council passed an ordinance exempting church food sales from city license requirements, but the scope of the new exemption is necessarily limited by state constitutional provisions. On April 20, after the Council had acted, City Attorney J. Elliott Drinard notified the mayor and the city manager of these limitations, saying:

"It [the ordinance] exempts from license taxation the sale of food and food products only by members of congregations of churches which may fall within the provisions of the sections of the license code taxing retail merchants and operators of restaurants. Whatever other business is conducted by members of church congregations is not exempt. The sales must take place on church property, that is, property of church congregations, the legal title to which is in the church trustees, and in connection with the religious or other activities of the church. . . . when business is done on such church property, whether taxable or not, the question is immediately raised whether the property is 'wholly and exclusively used for religious worship'. . . . When a church congregation's property is used otherwise, it would seem that the exemption from property taxes afforded by §183 [of the state constitution] may not be available.

"The ordinance will also exempt from license taxation such food sales by the YMCA, the YWCA and religious associations like the YMCA and YWCA. Whatever other business is conducted by these associations is

not exempt, except as pointed out below. . . . I think I had better point out with respect to this activity that if such exempted business is conducted for profit, the exemption from real estate taxes provided for by §183 may not apply.

"... the ordinance will not exempt from taxation receipts from the operation of a cafeteria or restaurant open to the general public, or the receipts from serving luncheons or suppers to clubs or other organizations which have no connection with the church or religious association. . . .

"The ordinance will also exempt [religious] corporations . . . from license taxes levied for operating boarding and lodging houses. Here again I had better point out that property owned by such corporations is not tax exempt [when] . . . operated for profit. . . .

"In every instance the exemption from license taxation is predicated upon the use of the net revenue for the [religious] purposes or activities. . . ."

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POAU President Blasts Sectarian Vote Pledge

Several hundred Charlotte, North Carolina, voters who pledged themselves not to vote for "any man or woman for public office who denies the deity of the Lord Jesus Christ or who opposes the reading and teaching of the Bible, the word of God, in our public schools," were recently advised to go and read the Constitution of the United States. POAU President Edwin McNeill Poteat, pastor of the Pullen Memorial Baptist Church at Raleigh, declared in a letter sent on April 29 to *The Charlotte Observer*:

"Reports of a recent primary elec-

tion in Charlotte for the School Board indicate that one candidate was opposed by a group of several hundred citizens who signed a petition pledging themselves 'Not to vote for any man for public office who denies the deity of Jesus.'

"That the result of the primary vote may have been affected by these voters is relatively unimportant. What is important, however, is the clear violation of the U. S. Constitution involved in the action of the petition-signers. Article VI, Section 3, reads: 'NO religious test shall EVER be required as a qualification to ANY office or public trust under the United States' (emphasis supplied).

"There are countries where conformity to the religious opinions of the majority is required of all public officials. The principle of the separation of church and state bans this in the U. S. It is not reassuring to discover that either by design or by ignorance our Constitution is openly flouted by those whose zeal for religious conformity fails to protect them from illegal action."

Minister Is Target

The immediate occasion for the circulation of the petition had been the announced candidacy of the Rev. Edward A. Cahill, a Unitarian minister who opposed the existing public school Bible-teaching program, under which churches supply Bible instructors at their own expense to conduct "elective" courses for credit in public high schools. The Way and Truth Life Club, led by J. B. Spillman, circulated the anti-Cahill petition. The club has been campaigning for daily public school Bible-reading. Every clergyman in Mecklenburg County received a copy of the petition and a covering letter demanding to know whether the "Christian people of Charlotte are going to support for office a man who will use his influence to suppress the teaching of God's word to our young people."

Cahill called the petitions "thoroughly un-American" and said that he opposed public school Bible-teaching on constitutional grounds. "No sect," the Unitarian minister contended, "should enjoy the sanction and support of a public institution." He added:

"Making qualification for holding public office contingent upon belief in a particular theological doctrine goes against the weight of fundamental American procedure. It is a sorry day when, in free America, a man's religious beliefs become a political weapon."

CHURCH AND STATE

Monthly Organ of
Protestants and Other Americans United for Separation
of Church and State

1633 Massachusetts Ave., N. W., Washington 6, D. C.